



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

GENERAL COUNSEL

400 Seventh St., S.W.
Washington, D.C. 20590

RECEIVED

MAR 05 1999

March 5, 1999 **FCC MAIL ROOM**

Magalie Roman Salas
Secretary, Federal Communications Commission
1919 M Street, N.W. Room 222
Washington, D.C. 20554

Re: CC Docket 98-1
Ex Parte Meeting

Dear Ms. Salas:

On March 4, 1999, the undersigned, together with representatives of the Federal Highway Administration (FHWA), met with Claudia R. Pabo and David C. Kirschner of the Common Carrier Bureau concerning the above-referenced proceeding. The FHWA attendees were William S. Jones (Intelligent Transportation Systems Joint Program Office), Paul Scott (Office of Engineering), and Janis A. Gramatins (Office of Right-of-Way).

Specifically, the FHWA representatives outlined the history of access to rights-of-way (ROW) on federal interstate highways, and the engineering- and safety-related reasons for limiting access. They also noted the relatively recent interest by some states in allowing or considering allowing access to federal interstate ROW in order to meet their telecommunications needs. In this regard they supplied the documents enclosed herewith for the Commission's information: *Program Guide, Utility Adjustments and Accommodation on Federal-Aid Highway Projects* (Publication No. FHWA-PD-98-013), and *Resource Sharing, State by State Status Report* (a March, 1999, draft survey of state policies on ROW access for fiber optics/wireless telecommunications).

The FHWA representatives also expressed concern that without some form of exclusive or very limited access to the pertinent ROW, states (1) would be unable to secure the benefits of contemporary telecommunications technology for their less densely-settled areas, and (2) would simply forbid such access so as to avoid repeated incursions and their attendant increased risks to safety.

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Pursuant to 47 C.F.R. § 1.1206(b)(2), this letter and one copy thereof are submitted for inclusion in the record in the above-referenced proceeding. I have also included an additional five copies, with enclosures, for distribution to the individual Commissioners. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Paul Samuel Smith". The signature is written in a cursive style with a large, stylized "P" and "S".

Paul Samuel Smith
Senior Trial Attorney
(202) 366-9285

Enclosures

cc: Service List (w/o enclosures)



U.S. Department
of Transportation

Federal Highway
Administration

Program Guide, Utility Adjustments and Accommodation on Federal-Aid Highway Projects

Fourth Edition

March 1998

Prepared by:

Federal-Aid and Design Division
Office of Engineering
Federal Highway Administration

Publication No. FHWA-PD-98-013

Summary of Telecommunications Proposals Nationally

<i>RFP's Proposed</i>					
Arizona					To Be Issued Jul '98
Colorado					To Be Issued Jul/Aug '98
Florida	Freeways	36 Fibers	Exchange/Cash		To Be Issued Soon – w/ Wireless
Idaho					To Be Issued Oct '98
S. Carolina		None	Exchange/Cash		Small '90 Agreement -- Developing Open RFP
Texas	Freeways	None	Exchange/Cash	Yes	Process Being Developed Under State Law

<i>Other States w/o RFP's</i>					
Alaska	N/A ²				
Connecticut	N/A				
Illinois	N/A				
Indiana	N/A				
Kentucky	N/A				
West Virginia	N/A				

³ In all RFP's exclusivity only applies to limited access facilities.

³ Alaska is considering policy changes to allow lease in R/W

Summary of Telecommunications Proposals Nationally

Permitted Highways		Minimum	Consideration	Exclusive	Character
<i>RFP's Current¹</i>					
Arkansas	Freeways	None	Exchange	Yes/Sect	
Alabama		None	Exchange/Cash	Yes/Sect	
Delaware	Freeway ¹			No	
Kansas	Freeways	None	Exchange/Cash	No Open Solicitation	
Maryland	Freeways	None	Exchange/Cash	No ² Open Solicitation w/Wireless	
Minnesota	Freeways	None	Exchange	Yes Open Solicit. w/ Wireless- FCC Appeal.	
Missouri	All	None	Exchange	Yes Open Solicit. ³	
New York	Freeways/All		8 Fibers Exchange/Cash	Yes Open Solicitation Closed 6/98	
Oklahoma	??	24 Fibers	Exchange	No	Open Solicitation
Oregon	Freeways/All	None	Exchange/Cash	Yes	Open Solicitation -- Withdrawn
Utah	Freeways	None	Exchange/Cash	Yes	Open Solicitation -- Unsuccessful to Date
Virginia	Freeways/All	None	Exchange/Cash	Yes	Open Solicitation -- w/ Wireless

¹ Delaware has deal on I-95 w/ MFS

² Maryland following single inquiry -- now considering exclusive requirement -- previous agreement had no other parties

³ Missouri expansion of system in progress -- includes additional 6 fibers for state use.

Nevada

FHWA Contact Person: Conway Barlow (702) 687-5334

Fiber Optics Fiber optics lines have not been installed on Interstate or on any other Federal-aid controlled access highways in Nevada, except possibly for crossings. NDOT is, however, considering options and trying to develop a policy. The Division Office is providing advice to NDOT on this matter.

Wireless Wireless telecommunications facilities have not been installed on Interstate or on any other Federal-aid controlled access highways in Nevada, except possibly for crossings. NDOT is, however, considering options and trying to develop a policy. The Division Office is providing advice to NDOT on this matter.

Alaska

FHWA Contact Person: Mike Duman, former Region 10 Office

Alaska has not yet had any experience with resource sharing activities.

Idaho

FHWA Contact Person: Mike Duman, former Region 10 Office

Idaho has not yet had any experience with resource sharing activities.

Oregon

FHWA Contact Person: Mike Duman, former Region 10 Office

Fiber Optics

Oregon has accommodated fiber optics within Interstate R/W as an exception to its policy. ODOT is currently considering a policy on resource sharing. There was no compensation other than the normal administrative fee associated with the permit. Locations have either been traverse crossings under the roadway or attached to structures.

Wireless Telecommunications

Wireless telecommunications facilities (towers, etc.) have not been installed on Interstate or any other controlled access facilities in Oregon.

Washington

FHWA Contact Person: Mike Duman, former Region 10 Office

WSDOT contact: Al King, Washington Light Lanes, (360)586-4321

Fiber Optics -WSDOT is developed an RFP to offer fully limited access controlled facilities (including the Interstate)for fiber installation in return for either barter or cash benefits. Use of other highways is anticipated. RFP was issued in November, 1998, and the successful party was UCN. They are moving forward rapidly on their telecommunications project, now dubbed "Washington Light Lanes", and started formal conversations with Universal Communication Networks (UCN) today. UCN is planing on fast tracking the project. In March, and perhaps into April, they will be trying to work out the business issues and arrive at an Airspace Lease. Immediately following finalizing that agreement, they anticipate UCN beginning design in earnest, with construction starting on the first pieces by early summer. Design on I-90 is currently planned to begin the first of August this year. Completion of the whole project, I-5, I-90 and I-82, with all appurtenances, is planned by the end of 2001.

Wireless -- WSDOT has a model airspace lease agreement that permits wireless on all highways if highway operations and safety are not compromised. Fee schedule for compensation.

ATTACHMENT 1 (COURTESY OF WSDOT (earlier this year))

Arizona

FHWA Contact: Philip Bleyl, Arizona Division, (602) 379-3913 Email: phillip.bleyl@fhwa.dot.gov

ADOT Contact: Sabra Mousavi (602) 255-6840 Email: smousavi@dot.state.az.us

Fiber Optics - Arizona issued a statewide RFP in July 1998. The RFP requested a communications firm(s) to provide communications infrastructure with the Department as a joint user. The RFP closed on October 6, 1998. Two proposals were received. Both were reviewed by the Attorney General's Office for legal sufficiency. They rejected one of the proposals as non-responsive. The other is now being evaluated. It is expected that the Department will decide how to proceed by the end of the calendar year. To be considered responsive, proposals, at a minimum, had to include private ownership, operation, construction, and maintenance of communications infrastructure while providing the state with capacity and other enhancements in exchange for entrance into highway right-of-way. A fiber optic communications network was preferred, but other systems would be considered. Much of the selection criteria is based on the number of statewide needs that would be met and on the quality and capacity to be provided.

The type of system, capacity, equipment, and other enhancements provided to the state should first focus on the Department's need to expand ITS capabilities (a copy of the plan was made part of the RFP). The most effective proposal would be a plan for a statewide network. However, proposals for only one region or corridor would be considered. Additionally, ADOT made it clear that while it believed that only one proposer would be selected for any specific route, the Department reserved the right to select more than one proposer when it was in the best interest of the state to do so. The proposal also required an explanation of how other entities could be accommodated within a single system. ADOT's purpose was to ensure competition was not inhibited, while providing the greatest benefit to the state.

Wireless Telecommunications

AZ DOT issued a statewide RFP in July of 1996. Three providers responded and are now under Master Lease Agreements. New sites requested by a provider (including co-location) must be advertised for competing bids. Our turn around time is approximately three weeks from receipt of a letter requesting a site to approval. We have yet to receive a competing proposal, but the law requires a competitive process. Currently we have 22 sites in place. 4 of those are co-locations. We expect to have another 5 Site Agreements signed by the end of the year. We currently have 5 companies under lease with the Department: AT&T Wireless; CellularONE, Sprint PCS, Western Wireless, and US West AirTouch. We have Master Lease Agreements with 4 of the 5 companies (US West prefers to have a separate lease for each site). A Master Lease Agreement sets the basic terms, provisions and restrictions. Each site is agreed to through the use of an Individual Site Agreement. Should the terms of the Site Agreement differ from the Master Agreement, the Site Agreements controls. Additionally, each provider must have local zoning approval and obtain an encroachment permit from the Department. The Department is able to issue a blanket maintenance permit, but prior notification of planned maintenance must be provided to ADOT. Emergency maintenance is reported as soon as possible. This allows our permits office to keep track of all activity, etc. 3 of the existing sites are on ADOT structures. One is on a sign, two are on high-mast light standards. The light standards are designed by Holophane to handle two sets of antennas. The total cost of the poles and construction were paid for by the provider. The poles are the property of the Department, but are maintained by the provider. One of these sites is at the Sunset Point Rest Area on I-17. CellularONE constructed two 120-foot light standards and is on one. The other is the Department's to lease to another provider. When the second pole is leased, the lessee will take over maintenance.

California

FHWA Contact: Lester G. Finkle II, California Division, (916) 498-5023

Caltrans Contact (Fiber): Martha Styer, (916) 654-5653

Caltrans Contact (Wireless): Susan Ellis, (916) 654-4812

Fiber Optics Fiber optics lines have not been installed on Interstate highway ROW in California or on any other controlled access Federal-aid highway ROW, except by Caltrans for State purposes and in a few instances by others as an approved exception to the approved freeway utility accommodation policy. State law does not allow Caltrans to receive compensation for accommodating public utilities on highway ROW and prohibits Caltrans from accommodating private utilities. Caltrans proposes to create a service contract to provide for operation and maintenance of Caltrans F.O. conduit and cable, and to market excess Caltrans fiber, by a private industry partner. The DO has asked Caltrans to distinguish between public use (operation and maintenance) and private use (marketing of excess fiber), and to submit to additional FHWA control by utilizing the existing encroachment permits process. Caltrans has also been informed that access to the fiber should be from outside the ROW.

Wireless Telecommunications

Wireless telecommunications have been installed on Interstate ROW and on other controlled access Federal-aid highway ROW in accordance with Caltrans "Licensing Process and Siting Guidelines" established for their Telecommunications (Wireless) Licensing Program. Compensation to Caltrans consists of cash based upon type of equipment and geographical location, ranging from \$9,900 to \$21,000 per site per year. Siting guidelines have been established taking safety, functional, and aesthetic considerations into account. Access to wireless facilities is to be from outside the ROW. The DO has final review/approval authority over all wireless proposals on Federal-aid highways, including construction plans, environmental documents, collocation, and assignments.

Western Resource Center:

Colorado

FHWA Contact: Scott Sands, Colorado Division, (303) 969-6703, ext 362

Fiber Optics

Fiber optics lines have been installed on Interstate highway ROW in your Colorado and on other controlled access Federal-aid highway ROW. The Colorado DOT received fibers for their own use as compensation. Installations were made in the ROW but are not considered to be a maintenance problem. The DO provided advice and encouragement.

Wireline/Wireless Telecommunications

Wireless telecommunications facilities have not been installed on any Interstate highway ROW in Colorado or on any other controlled access Federal-aid highway ROW in the State. A revised utility accommodation plan has been submitted to DO for approval that addresses the wireline and wireless telecommunication facilities

Montana

FHWA Contact: Merlin Voegelé, Montana Division, (406) 441-1220

Fiber Optics Fiber optics lines have not been installed on any Interstate highway ROW in Montana or on any other controlled access Federal-aid highway ROW in the State. The DO has been providing advice.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on any Interstate highway ROW in Montana or on any other controlled access Federal-aid highway ROW in the State. The DO has been providing advice.

Comments The Montana DOT has seriously considered resource sharing and discussed it with several consultants but has decided to forego it at this time.

Wyoming

FHWA Contact: Galen Hesterberg, Wyoming Division, (307) 772-2012, ext. 45

Fiber Optics Fiber optics lines have not been installed on any Interstate highway ROW in Wyoming, but has been installed on other controlled access Federal-aid highway ROW. State law does not allow for compensation. An attempt last year to revise the law failed. WYDOT dictates locations and pushes all facilities to the outside limits of the ROW. Access for maintenance is typically from the highway, as the ROW is fenced. At times, access from outside the ROW is available and then maintenance is through a locked gate. The DO has provided information, discussed pros/cons, and encouraged development of State policy to consistently respond to requests.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on any Interstate highway ROW in Wyoming or on any other controlled access Federal-aid highway ROW in the State. There have been requests but they have been denied due to concerns about tower and guy line locations and safety. Under State law, compensation would not be allowed. The DO has provided information, discussed pros/cons, and encouraged development of State policy to consistently respond to requests.

North Dakota

FHWA Contact: Wayne McCollam, North Dakota Division, (701) 250-4347

Fiber Optics Fiber optic lines have not been installed on any Interstate highway right-of-way or any other Federal-aid highway right-of-way in the state. The DO is providing advice and assistance.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on any Interstate highway right-of-way or on any other Federal-aid highway right-of-way in the State. The DO has been providing advice, and assistance. Comments : The North Dakota Department of Transportation is seriously considering the installation of fiber optics cabling and the ND Governor is negotiating with AT&T to determine what services can be provided.

South Dakota

FHWA Contact: Ken Erlenbusch, South Dakota Division, (605) 224-7326, Extension 3027

Fiber Optics Fiber optic lines have not been installed on any Interstate highway right-of-way or any other Federal-aid highway right-of-way in the state. The DO is providing advice and assistance.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on any Interstate highway right-of-way or on any other Federal-aid highway right-of-way in the State. The DO has been providing advice and assistance. Comments The South Dakota Department of Transportation is seriously considering the installation of fiber optics cabling and the SD Governor is negotiating with Dakota Telecommunications Group (DTG) to determine what services can be provided. The Governor is striving to make the World Wide Web available to every educational facility and state government office within the State.

Utah

FHWA Contact: , Utah Division ()

Fiber optics: Fiberoptic lines have not been installed on any Interstate highway or other highway in the State to date. A Governor's Task Force has presented a series of recommendations to the Legislature on what policy to follow to allow the State to benefit from the value of accommodating these lines. Regulations are being drafted to allow several options for charging, in anticipation of the Legislature passing permissive legislation. Wireless - No activity to date.

Missouri

FHWA Contact: Bob Thomas, Missouri Division, (573) 636-7104

Fiber Optics

Fiber optic lines have been installed on Interstate highway ROW in Missouri and on other controlled access Federal-aid highway ROW in the State. Under the terms of the public-private partnership with Digital Teleport Inc., who is installing the fiber optic line, MoDOT allowed placement of the fiber optic cable on highway ROW in exchange for use of 6 of the 24 strands of the fiber optic cable as the backbone of MoDOT's ITS network. No investment of public money was required. In addition, the value of the fiber optic system has been recognized under the FHWA Innovative Finance program and a \$30 million soft match credit for use on future ITS projects was approved by former Administrator Slater on October 23, 1995. Originally, the fiber optic line was intended to be buried 20 to 30 feet from the edge of pavement. However, after installation was initiated, topography dictated the best location for the fiber optic cable, including installations in the median. Access for maintenance purposes is only allowed from frontage roads or crossroads in accordance with current MoDOT policy. No access from the mainline is permitted. The Missouri Division Office recommended approval of a MoDOT request for an exception to its utility accommodation policy to allow longitudinal installation of the fiber optic cable within the Interstate ROW. This request was approved by the Region 7 office in January, 1994.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on any Interstate highway ROW in Missouri or on any other controlled access Federal-aid highway ROW in the State, but it is under consideration. MoDOT issued an RFP in September, 1997, which is intended to lead to a shared resources public-private partnership with the telecommunications industry to support deployment and operation of the Intelligent Transportation System in Missouri. MoDOT will allow placement of wireless facilities where mutually acceptable sites are identified on MoDOT property in exchange for goods and services that support ITS deployment and operation. Selection of the telecommunications partner is expected by December, 1997. As included in the terms of the RFP, access to these facilities will only be permitted from frontage roads or cross roads in accordance with current MoDOT policy. Access from the mainline is not permitted. The Missouri Division Office participated as a member of a MoDOT steering committee to assist in the development of a wireless telecommunications policy and the RFP. The Division also recommended approval of a MoDOT request for an exception to its utility accommodation policy to allow placement of wireless telecommunications facilities on MoDOT right-of-way. This request was approved by the Region 7 office in September, 1997. **After extensive negotiations, the original communications company selected by MoDOT decided not to pursue this partnership any further due to changes in the wireless telecommunications market. MoDOT will continue to seek other partners for future opportunities in resource sharing.**

Nebraska

FHWA Contact: Ed Kosola, Nebraska Division, (402) 437-5973

Fiber Optics Fiber optics lines have not been installed on Interstate ROW or on any other fully controlled access highway ROW in Nebraska, except for crossings. An RFI was put out 7-25-98, and interested parties responded by 9-25-98. Responses are being evaluated.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on Interstate ROW or on any other fully controlled access highway ROW in Nebraska.

Ohio

FHWA Contact: Richard Henry (614) 280 -6842, or Jack Springer (614) 280 -6849

ODOT Contact: Rich Weirich (614) 644 -5761

Fiber Optics No private fiber optics have been installed longitudinally in Ohio. There have been transverse (crossings) installations. There are also a few municipal or MPO longitudinal installations for ITS purposes in some of the major metropolitan areas. ODOT has tried to discourage private longitudinal installations as it could set a precedent and open the door for other longitudinal utility installations such as gas, water, and sewer.

Wireless Telecommunications There have been tower installations on both Interstate and Limited Access Urban Freeways. 14 towers have been approved (13 on Interstate and one on an Urban Freeway) There is also an installation on one of the ODOT District's property. Each provider must enter into a Statewide Master License Agreement and an individual Site Agreement for each site. The license fee is based on a schedule and ranges in price from \$8,000 to \$22,000 per year with periodic adjustments, for each site depending on the site location (Urban, Suburban, Rural Suburban, or Rural) and the number of antennae on the tower. In addition, a \$10,000 security deposit is required for each installation until the aggregate of the deposits equals \$100,000 for an individual carrier. Each carrier must make space available for co-locator carriers and pay ODOT half the fee or half of the scheduled fee which ever is greater, and provide a space for the State Multi Agency Radio Communications System (MARCS) at no charge.

Wisconsin

FHWA Contact: Roger Szudera, Wisconsin Division (608)829-7508

WisDOT Contact: Robert Fasick (608)266-3438 / (608)267-7856(fax); email robert.fasick@dot.state.wi.us

Fiber optics - WisDOT may receive compensation in fiber, cash, or both for long, installations on controlled-access freeways and expressways. Access to other state highways is free. At this time, WisDOT has only received cash comp. from \$5,500 to \$10,000/mile over a 20-25 year period. Five companies utilize controlled-access highways—approx. 320 miles and \$1.8 million. WisDOT currently does not have a need for fiber for ITS or other applications. The permit fee is inversely proportional to the length of accommodated facilities, as the individual company facilities range in size from a one-mile stretch (@\$10,000) to 270 miles (@\$5,500/mi.) along controlled-access Highway 29 across the northern part of the state. Individual agreements are based upon cash payment for ROW use, but also provide for lines that the state may use for its purposes in the future as the need arises.

Wireless - No wireless accommodation to date, but a couple of companies have indicated interest. WisDOT would allow installations at rest areas, weigh scales, or another safe ROW location for a tower.

NOTE: For both fiber and wireless, a master agreement is prepared and permits issued for each location.

Iowa

FHWA Contact: Gerry Kennedy, Iowa Division, (515) 233-7317

Fiber Optics

Fiber optics lines have been installed on Interstate highway ROW in Iowa and also on other controlled access Federal-aid highway ROW in the State. These fiber optics lines comprise the Iowa Communications Network (ICN) system and other underground communications lines. The ICN system is State owned and operated for State of Iowa business only; therefore, the State has access to the ROW as needed at no cost. Other underground communications systems pay a yearly rental fee, and these facilities have been located as close to the ROW line as possible. Facilities on freeways will be accessed from adjacent lands outside the ROW. Facilities on non-freeways can be accessed from within the ROW. The Division Office has approved longitudinal occupancy.

Wireless Telecommunications

Wireless telecommunications facilities have not been installed on any Interstate highway ROW in Iowa or on any other controlled access Federal-aid highway ROW in the State. The Division Office has been involved in talks with IDOT about the possibility of wireless telecommunications facilities in the future, but has neither encouraged nor discouraged at this time.

Kansas

FHWA Contact: Kirk Fredrichs, Kansas Division Office

Fiber Optics

Fiber optics lines have not been installed on Interstate ROW in Kansas, except for a 25-mile section maintained by the Kansas Turnpike Authority (KTA), but have been installed on other controlled access Federal-aid highway ROW. In one case, cash was received in payment for access; and in another case, there was no compensation. The reason for no compensation was because an installation permit had been granted for a controlled access highway that should have been denied. Facilities are located near the ROW line, and will be accessed from ramps, where convenient, but will primarily be accessed from the mainline with traffic control conforming to the MUTCD. The Division Office has encouraged the development of shared resource projects in Kansas. KDOT currently has a shared resource fiber optic project out for bids.

Wireless Telecommunications Wireless telecommunications facilities have not yet been installed on Interstate ROW or any other controlled access Federal-aid highway ROW in Kansas. The Division Office has not made much mention of wireless shared resource projects. KDOT invited a wireless vendor in to explain the issues involved with wireless towers on State ROW. This meeting was attended by the Division Office.

Midwest Resource Center:

Illinois

FHWA Contact: Walter Waidelich, Illinois Division, (217) 492-4622

Fiber Optics Fiber optics lines have not been installed on Interstate or on any other fully controlled access highways in Illinois.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on Interstate or on any other fully controlled access routes in Illinois.

Comments The Division Office has encouraged IDOT to consider fiber optics and wireless opportunities presented to them in both the Saint Louis and Chicago areas. They decided against them after careful consideration.

Indiana

FHWA Contact: Douglas Head, Indiana Division, (317) 226-7487

Fiber Optics The INDOT has not allowed any fiber optics installations along roads under their jurisdiction, except for the Indiana Toll Road which is I-80 / I-90 across the northern portion of the State and is 251 km in length. The Toll Road Division of INDOT has allowed the installation of fiber optic cable in the median by a utility company from MP 23 to MP 156, a total distance of 214 km. The Toll Road Division has a lease agreement with the utility and receives monetary compensation in addition to 28 T-1 lines (DS - 3 capacity). The Toll Road Division makes use of the capacity for only very limited communications. Very little maintenance of the fiber optic system is necessary except at the regeneration stations which are primarily located at the rest plazas with a few near the ROW line. That part of the system in the median is serviced from the mainline. The toll booths are not connected to the system. Our DO had no involvement in promoting the system.

Wireless Telecommunications INDOT does not have any such installations. However, they are considering developing a request for proposals (RFP) for wireless communications using certain facilities such as tower light supports. The City of Indianapolis currently has an RFP out trying to get private industry as partners in a wireless system. We and the State are anxiously awaiting the outcome.

Michigan

FHWA Contact: John Wiesner, Michigan Division, (517) 377-1880, Ext. 45

Fiber Optics Fiber optics lines have been installed on Interstate highway ROW in Michigan and also on other controlled access Federal-aid highway ROW in the State. Compensation has consisted of a Permit Fee of \$1000 per mile. Lines have been located outside the clear and will be maintained from fence line, cross roads, or ramps, with exceptions. The Division Office has played a minimal role consisting of advice only.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on any Interstate highway ROW in Michigan or on any other controlled access Federal-aid highway ROW in the State. The Division Office has played a minimal role thus far.

Minnesota

FHWA Contacts: Jim McCarthy 651-291-6112 or Pete Kiernan 651-291-6106

MnDOT Contacts: Adeel Lari 651-282-6148 or Bob McPartlin 651-296-4337

Fiber Optics

On December 23, 1997, the Minnesota Department of Transportation (MnDOT) entered into an agreement with a private consortium granting them exclusive access to lay a fiber optic network within state trunk highway right-of-way. The Minnesota trunk highway system consists of Interstate, NHS, and other principal arterials. The consortium includes International Communications Services (ICS)/Universal Communication Networks (UCN) and Stone & Webster Engineering Corporation. Under this agreement, the consortium will construct an 1,800 mile fiber optic network that includes three loops, going to the northern and southern portions of the state as well as to the Twin Cities metropolitan area. In exchange for this accommodation within trunk highway right-of-way, the consortium will provide all state, city and county agencies, as well as public and private schools and universities, free access to the network, up to 20-30% of capacity. The consortium has the right to lease the remaining capacity to other entities on a non-discriminatory basis.

MnDOT filed a petition with the FCC advising them of the agreement and their plans. FCC has not yet responded. There is also an unassociated lawsuit currently pending which questions the MnDOT

Commissioner's authority to enter into the agreement with the consortium.

That portion of the fiber network from Moorehead to St. Cloud, a distance of 175 miles, is currently under construction. Two 2 inch PVC conduits are being installed 10 feet from the r/w line. One PVC conduit is empty, the other contains 192 fibers in a .8 inch cable.

Wireless Communication Wireless telecommunications have not been installed on any trunk highway right-of-way. Under the terms of the above agreement, the consortium had until April 30, 1998, to advance any proposal for wireless communication. They did not exercise this option. Currently, MnDOT is planning and evaluating whether to go forward with an RFP for Wireless Communication. No decision has been made to date.

Arkansas

Contact: Robert Tyler, AH&D (501)569-2321

Fiberoptic: Lines have been installed on some Interstates (I-40 across state; I-30 from Little Rock to Hope; I-540 MO line to Ft. Smith through tunnel facility, I-430 from I-40 to I-30). All lines installed near fenceline, with pull boxes outside access line at each interchange. AH&D has access to each pull box, and are assigned space/lines at each regeneration site in exchange.

Wireless: Not allowed on any highway ROW at present.

New Mexico- Contact: Joe Edwards, NM Division (505)820-2024

To date no income has been generated, but the State has been in negotiations for use of Interstate ROW. Both dollars and facilities have been offered as payment.

points or ramps/frontage roads, etc. -- not from the mainline.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on Interstate or on any other fully controlled access routes in North Carolina.

Comments The FHWA Division Office provides advice as needed on any issues relating to resource sharing. There has been no change in North Carolina since the review last year by the Office of Program Quality Coordination. North Carolina officials have not changed their position relating to these facilities. At the present time, they do not believe it is worth pursuing. There has been one persistent inquiry from VIVX relating to fiber optics along I-40 and I-85, particularly between Greensboro and Durham, but the NCDOT has resisted the pressure and no facilities are planned. Apparently VIVX is trying to follow Transcontinental's pipeline and trying to use adjacent Interstate routes for fiber optic lines.

South Carolina

FHWA Contact: Steve Ikerd, South Carolina Division, (803)253-3885

SCDOT Contact: Mike Meetze, (803)737-1293

Fiber Optics With the exception of a Southern Bell fiber optic cable crossing of the Cooper River on the I-526 bridge in Charleston, the SCDOT has not allowed the installation of fiber optic lines within the R/W of any controlled access facility. In return for allowing the Cooper River crossing in the early 1990's, the SCDOT received fibers from the bridge site to the District office for use in the operation of a Fog Detection and Warning System.

Wireless The SCDOT has not allowed the installation of telecommunication towers within the R/W of any controlled access facility.

Comments The SCDOT has established a telecommunications committee, on which FHWA serves, to investigate the possibility of resource sharing. Two of the FHWA sponsored workshops (Apogee Research and Maryland State Highway Administration) were conducted this past summer.

Tennessee

FHWA Contact: , Tennessee Division, (615) 736-7539

Fiber Optics

The first application of fiber optics on Interstate highways in Tennessee was concurred in by the Division Office on 9-22-97 and will involve the I-55 Bridge in Memphis. Actual installation has not commenced as of 10-21-97. No longitudinal fiber optics lines have been permitted along any other controlled access facilities in the State. TDOT will receive the exclusive use of six(6) unlighted fiber lines on the I-55 Bridge installation. The lines are to be installed along the outside of the bridge structure, but no direct access will be allowed from the through roadway or ramps for initial placement or future servicing of the fiber optic lines. The Division Office has been instrumental in forwarding legal and operational guideline publications, as well as current informational material, to TDOT management and has conducted a one day joint seminar with TDOT officials, and representatives of Apogee Research, Inc. and the Missouri DOT on 11-19-96.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on Interstate or any other Federal-aid controlled access highways in Tennessee. The Division Office has, however, been instrumental in forwarding legal and operational guideline publications, as well as current informational material, to TDOT management, and also conducted a one day joint seminar with TDOT officials, and representatives of Apogee Research, Inc. and the Missouri DOT on 11-19-96.

Texas

FHWA Contact: Lee Gibbons, Texas Division, (512) 916-5516

Fiber Optics Fiber optics lines have been installed on Texas Interstate highway ROW and on other controlled access Federal-aid highway ROW in accordance with the TxDOT Utility Accommodation Manual. These lines have been installed by companies that are considered utilities, and no resource sharing has taken place as yet. No compensation was received since the companies had a right to occupy the right of way. These fiber optic lines are located outside the frontage roads, outside the clear zone near the ROW line. They will be maintained from the frontage roads and side streets. Texas has an extensive system of frontage roads along the Interstate and other controlled access highways throughout the state, and utilities are generally located between the frontage road and ROW line along these highways. The Division has not had any involvement in these lines since they are approved by TxDOT using permit procedures. Resource sharing efforts are well underway, with rulemaking procedures underway. A pilot implementation effort will then follow as a need is identified.

Wireless Telecommunications Wireless telecommunications facilities have been installed on Interstate ROW at two locations the TxDOT Central Office ROW (Utility) Section is aware of in the San Antonio area. There are also two wireless installations on other controlled access Federal-aid highway ROW in the San Antonio area. TxDOT did not receive any compensation for these installations since the companies erecting the facilities were considered utilities with a right to occupy the ROW. These facilities that are located on the ROW are monopole tower assemblies. The support cabinets have generally been placed off the ROW. The towers located on the ROW are located near the ROW line outside the clear zone and will be accessed from the frontage road or side street. One pole is located in a benign location from the safety standpoint outside the frontage road in an interchange area. The Division Office does not have an active role but does communicate with the TxDOT Central Office ROW section on this subject occasionally.

Southern Resource Center:

Alabama

FHWA Contact: Bill Van Luchene, Alabama Division, (334) 223-7379

Fiber Optics Fiber optics lines have not been installed on Interstate highway ROW in Alabama or on any other controlled access Federal-aid highway ROW. The Division Office has been monitoring DOT activities in this regard and providing education.

Wireless Telecommunications Wireless telecommunications have not been installed on Interstate highway ROW in Alabama or on any other controlled access Federal-aid highway ROW. The Division Office has been monitoring DOT activities in this regard and providing education.

Comments The Alabama DOT has appointed a committee to evaluate all aspects of placing both fiber & wireless facilities on Interstates and other access controlled highways.

Florida

FHWA Contact: Chris Richter, Florida Division, (904) 952-9590

Fiber Optics Fiber optics lines have not been installed on Interstate highway ROW in Florida or on any other controlled access Federal-aid highway ROW. The Florida DOT will send out a Request for Proposals (RFP) later this year for industry to provide fiber optics on 2,000 miles of limited access NHS. FDOT intends to be compensated through services and/or infrastructure. These facilities will be located in a 10' easement located just inside the ROW line and will be accessed through locked gates from private properties, except at interchanges. The Division Office has provided guidance on safety and technical assistance in developing the ITS related portions of the RFP.

Wireless Telecommunications Wireless telecommunications have not been installed on Interstate highway ROW in Florida or on any other controlled access Federal-aid highway ROW. However, existing State owned towers are in place for a call box communication system. The FDOT is also developing a wireless telecommunications RFP. There is also a Wireless Forum for industry to be held on 10/31/97. FDOT will be receiving band widths for ITS purposes or money. FDOT is planning on putting this hardware on stand alone and existing structures inside the ROW. The Division Office has provided technical assistance.

Georgia

FHWA Contact: Clyde Johnson, Georgia Division, (404) 562-3657

Fiber Optics: GDOT has installed fiber optics on Interstate ROW but only for their own use. Location information was not provided. GDOT has not installed fiber optics on any other controlled access facilities. The FHWA Division Office provided technical assistance and approved the installation.

Wireless: GDOT has not installed any wireless telecommunications facilities on Interstate or other controlled access facilities. The FHWA Division Office advises GDOT on issues relating to wireless.

Kentucky

FHWA Contact: David Whitworth, Kentucky Division, (502) 223-6728

Fiber optics Fiber optics lines have not been installed on Interstate highway ROW in Kentucky or on any other controlled access Federal-aid highway ROW in the State, except for some that have been installed solely for highway use -- no resource sharing involved. The State is currently considering the use of the ROW by others.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on Interstate highway ROW in Kentucky or on any other controlled access Federal-aid highway ROW in the State.

Comments The Kentucky Division has played an advising role on resource sharing.

Mississippi

FHWA Contact: David Whitworth, Mississippi Division, (601) 965-4233

Fiber Optics Fiber optics lines have not been installed on Interstate highway ROW in Mississippi, except for a very minor amount on the Gulf Coast. Fiber optics lines have been installed on other controlled access Federal-aid highway ROW in Mississippi, as with other utilities, on many non-Interstate 4 lane and 2 lane highways. No resource sharing has been involved. MDOT people are of the opinion that the same people who pay the rates are the same people who pay for the highway, and the utility company would just pass the cost of any remuneration back to the public. Accommodation of the Interstate fiber optics lines has been by a year-to-year permit for the last 6-7 years because the utility hasn't been able to buy ROW and move. Utilities locations are usually limited to the last five feet of ROW limits if possible. The Division Office advises MDOT whenever asked and only see the permits that deal with utilities crossing the Interstate.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on Interstate highway ROW in Mississippi or on any other controlled access Federal-aid highway ROW in the State.

North Carolina

FHWA Contact: Ken Ivey, North Carolina Division, (919) 856-4330

Fiber Optics Fiber optics lines have not been installed on Interstate or on any other fully controlled access highways in North Carolina. There have been some installations on partial controlled or limited access routes. No compensation was received for these installations. They were all installed near the ROW line and are to be accessed from existing access

right hand shoulder. All locations were within the ROW. Access is from the mainline. The Maryland Division and Region 3 offices worked with MSHA, providing guidance and approving the installations.

Wireless Telecommunications

Wireless telecommunications facilities have been installed on Interstate ROW in Maryland on I-95 at MD 32 in Howard County. A tower replaced a high mast light pole and now has a light fixture attached to it. Wireless telecommunications facilities have been installed at I-95 at MD 32, I-270 at Montrose Rd, I-495 at MD 185 and I-695 at Greenspring. 19 additional towers are proposed within the ROW of both Interstate and other controlled access Federal-aid highways. The State will receive monetary compensation for these installations, approximately \$14,000 - \$20,000 per site annually. The dollar amount varies by site. The Maryland Division and Region 3 Office have been working together with MSHA to develop guidelines for the placement of wireless facilities within the highway right-of-way. The priorities below correspond to Maryland's "Wireless Telecommunications - Priority Checklist for Site Selection."

- 1) I-270 at Montrose Road - located along diagonal ramp of the interchange. Access from the left hand side of the diagonal ramp. (Priority 3 location)
- 2) I-495 at MD 185 - located along the mainline, but well outside the clear zone. Access from Kensington Parkway, a county road. (Priority 1 location)
- 3) I-695 at Greenspring Ave. - located in the infield area of the interchange, with access from Greenspring Ave, a county road. (Priority 1 location)
- 4) US 50 at MD 193 - located along the mainline, but well outside the clear zone, with access from MD 193. (Priority 1 location)
- 5) US 50 at Lottsford Vista Road - located in the NW quadrant (not accessible from mainline of US 50) with access from Lottsford Vista Road, a county road. (Priority 1 location)
- 6) I-495 at Longwood Road - located along the mainline, but in an already shielded location. Access is from Longwood Road, a county road (Priority 1 location)
- 7) US 29 at MD 32 - located along the diagonal ramp, with access from a nearby county road. (Priority 1 location)

Pennsylvania

FHWA Contact: Mike Castellano, Pennsylvania Division, (717) 221-4517

Fiber Optics Fiber optics lines have not been installed on Interstate highway ROW in Pennsylvania or on any other Federal-Aid highway ROW in the State.

Wireless Telecommunications Wireless telecommunications facilities have not been installed on Interstate highway ROW in Pennsylvania or on any other Federal-Aid highway ROW in the State.

Comments The Division Office has played the role of providing information to the PennDOT that has been received from FHWA HQ over the last couple years on resource sharing. They encourage PennDOT to develop resource sharing agreements with private utilities as a means to provide the comm. infrastructure for their ITS implementation and have been involved in some of the studies PennDOT has done in this area.

Virginia

FHWA Contact: Chris Lawson, Virginia Division, (804) 281-5133

Fiber Optics Fiber optics lines have not been installed on Interstate highway ROW in Virginia or on any other Federal-Aid highway ROW in the State as part of Resource Sharing. However, an agreement is in the works for 1,200 miles of fibers to be installed. Fiber optics lines have been installed in Northern Virginia for VDOT's traffic management system but this is not a part of resource sharing. Virginia plans to receive fiber infrastructure as compensation. More specifically, they will receive 18 fibers on 1,300 miles of rural Interstate, and 48 fibers on 148 miles of urban Interstate. It is VDOT's intention to locate these facilities far enough off the edge of pavement where access would not be a problem. The fibers must be placed so as not to interfere with the safe operation of the highways. The preferred location is to the right of the travel lanes, possibly outside of the clear zone or near the ROW line; however, fibers will not be located in the median.

Wireless Telecommunications

There are 65 sites which have been approved for wireless telecommunications installations on Interstate highways in Virginia. Some of these towers are under construction. Most of these facilities are in Northern Virginia and Suffolk, mainly on Interstate highways at strategic interchanges. Virginia will receive a combination of money and ITS infrastructure. Normally VDOT owns the tower. After a 5 year period, VDOT will receive approx. \$1000/month from users of the tower. These tower facilities are going to be accessed from service roads, ramps, and secondary roads. Any access from mainlines has to be approved by the Division Office.

Fiber optics have been installed on Interstate ROW and other controlled access Federal-aid highway ROW in New Jersey. These facilities are State owned and operated. They were installed for TMS purposes (i.e. computerized signal systems, etc). No compensation was received. They have been located at various locations, including the median. Access occurs from the traveled way. (i.e. need traffic control with lane closure, etc). The Division Office reviews, approves proposed locations, and advises NJDOT.

Wireless

FHWA Contact: David Powell, Traffic Operations Engineer, (609) 637-4207

NJDOT Contact: Richard Dube, (609) 530-4467

Wireless telecommunications facilities have been installed in 3 locations on Interstate ROW with additional installations proposed. Since wireless communications are not a public utility under State law, the installations are being done under airspace agreement provisions rather than a utility accommodation policy. The Division Office reviews and comments on conceptual plans for proposed Interstate locations to be used for wireless telecommunications and approves final plans. The Division Office has assisted the NJDOT in establishing guidelines and procedures for installation, approval of location sites, final approval of installations.

New York

FHWA Contact: Emmett McDevitt, New York Division, (518) 431-4125

NYSDOT Contact: Richard Lee (518) 457-4449

Fiber Optics Fiber optics lines have not been installed on Interstate ROW in New York, but have been installed on the New York State Thruway, which is maintained by the New York State Thruway Authority (NYSTA), from New York City to Buffalo (+/- 500 miles). One of six fiber banks is dedicated to the NYSTA for their use with communications, ITS, and other things. In addition, phased in cash will be provided at years 5 thru 20, and complete ownership of all the fiber optic will be attained within the ROW after 20 years. Fiber optics lines have been located mostly on the ROW line, but occasionally in the median because of environmental or other constraints. Maintenance will have to be performed from the mainline with a permit requiring proper work zone traffic control and other safety considerations. The Division Office has reviewed the fiber optics installation locations, approved those areas that required median installations, and advised of additional verbiage to enhance safety during installation and maintenance.

Wireless Wireless telecommunications facilities (antennas) have been installed on Interstate highway ROW in New York State, but not on any other controlled access Federal-aid highway ROW. The State will receive a rental fee for accommodating the wireless installations (antennas). Location information was not provided. The antennas on the Interstate will be accessed for maintenance purposes from the mainline in some instances. A proposal to rent antenna space on New York State Thruway Authority communication towers was discussed with the DO to confirm that FHWA approval was not required.

Vermont

FHWA Contact: Mark D. Richter, Vermont Division, (802) 828-4423

Fiber Optics Fiber optics lines have not been installed on Interstate ROW or on any other controlled access Federal-aid highway ROW in Vermont. The Division Office has provided advice to the State.

Wireless Wireless telecommunications facilities have not been installed on Interstate highway ROW in Vermont or on any other controlled access Federal-aid highway ROW. The Division Office has provided advice to the State.

Eastern RC:

Delaware

FHWA Contact: Robert Kleinburd, Delaware Division, (302) 734-2966

DelDOT Contact: Gene Donaldson (302) 739-7786

Fiber Optics Fiber optics lines have not been installed on Interstate highway ROW in Delaware or on any other controlled access Federal-aid highway ROW.

Wireless Wireless telecommunications facilities have not been installed on Interstate highway ROW in Delaware or on any other controlled access Federal-aid highway ROW.

District of Columbia

FHWA Contact: Ed Sheldahl, DC Division, (202) 523-0163

Fiber Optics Fiber optics lines have not been installed on Interstate highway ROW in the District of Columbia or on any other controlled access Federal-aid highway ROW.

Wireless Wireless telecommunications facilities have not been installed on Interstate highway ROW in the District of Columbia or on any other controlled access Federal-aid highway ROW.

Maryland

FHWA Contact: Ann Hersey, Maryland Division, (410) 962-4342 ext. 135

Fiber Optics Fiber optics lines have been installed on Interstate ROW in Maryland on I-83, I-95, I-295, and I-695, but have not been installed on any other controlled access Federal-aid highway ROW in Maryland. The State received conduit and fibers as compensation. Cables were installed in the median, under the right hand shoulder, and beyond the

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Eastern Resource Center:

Connecticut

FHWA Contact: Roger Ryder, Connecticut Division, (860) 659-6703, ext 3007

State Contact: Robert Ritsick, ConnDOT, (860)594-3262

Fiber Optics Fiber optics lines have been installed on Interstate highway ROW in Connecticut for State purposes only -- Incident Management System (IMS) and Intelligent Transportation System (ITS). Fiber optics lines been not been installed on any other controlled access Federal-aid highway ROW in the State. No outside compensation was involved. Performed with Federal/State transportation funding. Lines have been buried in conduit near the outside shoulder; not in median. The Division Office has been active in the promotion of IMS and ITS, and in reviewing, providing comments, and approving IMS PS&E submittals. The Division Office has also advised ConnDOT on the effects of the Telecommunications Act on utility accommodation, and has reaffirmed existing FHWA policy on shared resources arrangements: (1) Mr. Gerald L. Eller's October 25 memorandum, on the subject, and (2) notes from Mr. L. Harold Aikens, Assistant Chief Counsel (HCC-30), dated April 3, June 10, and October 2 and 17, on the Telecommunications Act of 1996, sale of excess capacity of State owned fiber optic cable, State's rights regarding right-of-way exclusivity, and telecommunications company actions to provide or precludes access to competing telecommunications carriers, respectively. The Division Office has also advised ConnDOT of their responsibilities for ensuring non-discriminatory access to fiber optic conduit installed in State owned right-of-way.

Wireless Telecommunications Wireless telecommunications facilities have not yet been installed on any Interstate highway ROW in Connecticut, but the Division Office recently authorized a project involving Digital Highway Advisory Radio (HAR) at 6 locations. Wireless telecommunications facilities been not been installed on any other controlled access Federal-aid highway ROW in the State? No outside compensation will be involved in the HAR installations. The project will be performed with Federal/State transportation funding. The facilities will be located outside the clear zone, in ramp median areas. The Division Office has been involved in the promotion of HAR, and in reviewing, providing comments, and approving Highway Advisory Radio (HAR) PS&E submittals.

Maine

FHWA Contact: Ken Todd, Maine Division, (207) 622-8350, ext. 12

Fiber Optics Fiber optics lines have been installed on Interstate highway ROW in Maine and on other controlled access Federal-aid highway ROW in the State. No compensation has been received. The lines were installed outside the clear zone and are maintained from the mainline. The Division Office provides advice and approval.

Wireless Wireless telecommunications facilities have not been installed on Interstate highway ROW in Maine or on any other controlled access Federal-aid highway ROW.

Massachusetts

FHWA Contact: Deborah Leslie, Central Artery Area Eng. (617) 494-3330

Ron Dutil, ROW Officer (617) 494-2162

Fiber Optics Mass. DPW has some installations on Route 128. State receives several lines in return

Wireless State permits some wireless antennas, and receives some usage of these facilities.

New Hampshire

FHWA Contact: Martin Calawa, New Hampshire Division, (603) 225-1609

Fiber Optics New Hampshire presently does not have any longitudinal installations of fiber optics lines in Limited Access ROW. The one exception to this is a very short line from the FAA center in Nashua to another location near by along Route 3. It was allowed as a hardship installation. It is only a few feet inside the L.A. fence.

Wireless Telecommunications New Hampshire presently does not have any wireless telecommunication facilities in Limited Access ROW.

Comments The New Hampshire policy has been to not allow installations on limited access highways. However, the policy is beginning to change. MCI has informally requested permission to install a fiber optic line along the F.E. Turnpike [a toll road] from Merrimack to Manchester. The NHDOT's utility section has been told that they will review any proposal that is submitted by MCI. It is assumed that, if MCI does put in a line, there will be some kind of financial compensation for the use of the ROW. Wireless telecommunication facilities have been proposed in the past and denied; however, the NHDOT may be softening on such installations also.

New Jersey

Fiber Optics

FHWA Contact: Jorge Martinez, Area Engineer, (609) 637-4236

NJDOT Contact: William Fanelle, (609) 530-5679.

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Question: "Does your State accommodate fiber optics / wireless communications on Interstate or other freeways?"

Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Western RC					
Alaska	No	No	No	No	
Idaho	No	No	No	No	
Oregon	Yes	No	No	No	<u>Fiber Optics</u> -- Installations have been permitted on Interstate ROW as an exception to ODOT's utility accommodation policy. There was no compensation other than the normal administrative fee associated with the permit; thus, no resource sharing was involved. ODOT is currently considering a policy for resource sharing.
Washington	Yes	Yes	Yes	Yes	<u>Fiber Optics</u> -- WSDOT issued an RFP to offer fully limited access facilities (including the Interstate) for fiber installation in return for either barter or cash benefits. Use of other highways is anticipated. State working with successful bidder to design system this spring/summer. <u>Wireless</u> -- WSDOT has a model airspace lease agreement that permits wireless on all highways if operations and safety not compromised. Fee schedule based.

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Question: "Does your State accommodate fiber optics / wireless communications on Interstate or other freeways?"

Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Arizona	No	No	Yes	Yes	<u>Wireless Telecommunications</u> -- ADOT sent out a RFP in July, 1996, offering to lease highway ROW, statewide, for wireless facilities. Proposals were received from three carriers and one management company. Presently, an antenna has been installed on one overhead sign structure support located adjacent to the ramp between I-10 and the Route 202 Freeway. Cash compensation was received.
California	Yes	Yes	Yes	Yes	<u>Fiber Optics</u> -- Installations for State purposes only and a few for other purposes as an exception to Caltrans freeway utility accommodation policy. No resource sharing involved because State law does not allow Caltrans to receive compensation for accommodating public utilities on highway ROW and prohibits Caltrans from accommodating private utilities. Caltrans pro-poses to create a service contract to provide for the operation and maintenance of Caltrans' conduit and cable, and to market excess fiber, by a private industry partner. The DO has asked Caltrans to distinguish between public and private use, and to utilize the existing encroachment permits process. <u>Wireless Telecommunications</u> -- Installations permitted on freeway ROW, except Interstate, in accordance with Caltrans recently developed "Licensing Process and Siting Guidelines." Compensation will consist of cash based upon type of equipment and geographical location.
Hawaii	Did Not Provide Any Information				
Nevada	No	No	No	No	NDOT is considering options and trying to develop F.O. and wireless policies.

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Question: "Does your State accommodate fiber optics / wireless communications on Interstate or other freeways?"

Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Wyoming	No	Yes	No	No	Fiber Optics -- Installations permitted on freeway ROW, except Interstate. No compensation in accordance with State law. An attempt last year to revise the law failed. No resource sharing is involved.
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Question: "Does your State accommodate fiber optics / wireless communications on Interstate or other freeways?"

Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Western RC					
Colorado	Yes	Yes	No	No	<p><u>Fiber Optics</u> -- Installations have been permitted on Interstate and other freeway ROW in exchange for fibers to be used by CDOT for their own use.</p> <p><u>Wireline/Wireless Telecommunications</u> To date, wireless telecommunications facilities have <u>not</u> been installed on any Interstate highway ROW in Colorado or on any other controlled access Federal-aid highway ROW in the State. A revised utility accommodation plan has been submitted to DO for approval that addresses the wireline and wireless telecommunication facilities.</p>
Montana	No	No	No	No	<p><u>Comments</u> -- MDOT has seriously considered resource sharing and discussed it with several consultants but has decided to forego it for now.</p>
North Dakota	Soon	Soon	No	No	<p><u>Fiber Optics</u> -- NDDOT is seriously considering the installation of fiber optics in the right-of-way. A request from AT &T is presently on the Governor's Office awaiting action.</p> <p><u>Wireless</u> -- There is no effort underway to locate any wireless facilities.</p>
South Dakota	Soon	Soon	No	No	<p><u>Fiber Optics</u> -- The SDDOT is giving serious consideration to installing fiber optics cable on the interstate ROW. A request from Dakota Telecommunications Group (DTG) is presently being considered. The Governor is interested in making the World Wide Web available to all schools in South Dakota.</p>
Utah	Soon	Soon	No	No	<p><u>Fiber optics</u> - Governor's Task Force recommendations and regulations being developed pending expected change to State law to allow compensation beyond basic permit fee.</p>

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Question: "Does your State accommodate fiber optics / wireless communications on Interstate or other freeways?"

Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Midwest RS					
Iowa	Yes	Yes	No	No	<u>Fiber Optics</u> -- For State purposes only -- the Iowa Communications Network (ICN). No resource sharing was involved. Certain other commercial underground communications (fiber and copper) cables are also permitted for annual fee.
Kansas	Yes	Yes	No	No	<u>Fiber Optics</u> -- On a 25-mile section of Interstate maintained by the Kansas Turnpike Authority (KTA) and on other freeway ROW. Cash compensation received in at least one case. KDOT currently has a shared resource project out for bids.
Missouri	Yes	Yes	No	No	<u>Fiber Optics</u> -- Installations permitted on Interstate and other freeway ROW in exchange for the use of six strands of F.O. cable as the backbone for MoDOT's ITS network. The value of the F.O. system has been recognized under the FHWA Innovative Finance Program and a \$30 million soft match credit has been approved for use on future ITS projects. <u>Wireless Telecommunications</u> -- MoDOT issued an RFP in September, 1997, for a shared resources public-private partnership to support deployment and operation of ITS in Missouri. After extensive negotiations, the original communications company selected by MoDOT decided not to pursue this partnership any further due to changes in the wireless telecommunications market. MoDOT will continue to seek other partners for future opportunities in resource sharing.
Nebraska	No	No	No	No	An RFI went out 7-98, with responses due 9-98. Evaluation in process.

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Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Southern RC					
Arkansas	Yes	No	No	No	<u>Fiberoptic</u> : Lines have been installed on some Interstates (I-40 across state; some sections of I-30, I-540, I-430). Receive lines in exchange. <u>Wireless</u> : Not allowed on any highway ROW at present.
Louisiana	Did Not Provide Any Information				
New Mexico	Yes	Yes	Yes	Yes	<u>Fiberoptic</u> : State negotiating for Interstate accommodations partner. No income yet.
Oklahoma	Did Not Provide Any Information				
Texas	Yes	Yes	Yes	Yes	<u>Fiber Optics</u> -- Installations on Texas Interstate and other freeway locations in accordance with the TxDOT Utility Accommodation Manual. No compensation received. Utilities have a right to occupy the ROW outside the frontage roads outside the clear zone near the ROW line. No resource sharing is involved as yet, but rulemaking underway. <u>Wireless Telecommunications</u> -- Two Interstate and two other freeway installations in the San Antonio area. No compensation received. No resource sharing involved as yet.

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Interstate or other freeways?"**

Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Ohio	No *	No *	Yes	Yes	<p>* <u>Fiber Optics</u> --There are presently no private fiber optics that are longitudinally installed along Interstate or other Freeways. It is ODOT's policy to discourage this as it could open the door for other longitudinal installations of such things as water, sewer, gas, etc. In large metropolitan areas, some government owned longitudinal fiber optic installations for ITS purposes. On both Interstate and other Freeways, there are transverse installations of fiber optics.</p> <p><u>Wireless Telecommunications</u>: There are currently 13 Telecom towers on Interstate R/W and 1 tower on a Non-Interstate freeway. One other tower is located at an ODOT District office.</p>
Wisconsin	Yes	Yes	No	No	<p><u>Fiber optics</u> - WisDOT may receive compensation in fiber, cash, or both for long. installations on controlled-access freeways and expressways. Access to other state highways is free. At this time, WisDOT has only received cash comp. from \$5,500 to \$10,000/mile over a 20-25 year period. Five companies utilize controlled-access highways--approx. 320 miles and \$1.8 million. WisDOT currently does not have a need for fiber for ITS or other applications</p> <p><u>Wireless</u> - No wireless accommodation to date, but a couple of companies have indicated interest. WisDOT would allow installations at rest areas, weigh scales, or another safe ROW location for a tower.</p> <p><u>NOTE</u>: For both fiber and wireless, a master agreement is prepared and permits issued for each location.</p>

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Question: "Does your State accommodate fiber optics / wireless communications on Interstate or other freeways?"

Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Midwest RC					
Illinois	No	No	No	No	IDOT considered F.O. and wireless opportunities in the St. Louis and Chicago areas but decided against them after careful consideration.
Indiana	Yes	No	No	No	<u>Fiber Optics</u> -- On the Indiana Toll Road: I-80/I-90, across the northern portion of the State. INDOT Toll Road Division compensated with cash and use of fiber capacity. <u>Wireless Telecommunications</u> INDOT is considering developing a RFP for wireless using certain facilities, such as tower light supports.
Michigan	Yes	Yes	No	No	No charge for use. Permit required with one-time permit fee of \$1000/mile. Accommodation normally only within 15 ft of fence. All utilities included in longitudinal accommodation.
Minnesota	Yes	Yes	No	No	MnDOT has entered into agreement with a private consortium granting them exclusive access to lay a fiber optic network within state trunk highway right-of-way. The Minnesota trunk highway system consists of Interstate, NHS, and other principal arterials. No wireless actions to date.

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Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Southern RS					
Alabama	No	No	No	No	ADOT has appointed a committee to evaluate all aspects of placing both fiber & wireless facilities on Alabama freeways.
Florida	No	No	No	No	<u>Fiber Optics</u> -- RFP will go out later this year for fiber optics on 2,000 miles of limited access NHS. <u>Wireless</u> -- State owned towers are in place for a call box communication system. Resource sharing RFP being developed by FDOT.
Georgia	Yes	No	No	No	<u>Fiber Optics</u> : For State purposes only. No resource sharing involved.
Kentucky	Yes	Yes	No	No	<u>Fiber Optics</u> : For State purposes only. No resource sharing involved.
Mississippi	Yes	Yes	No	No	<u>Fiber Optics</u> : One temporary Interstate installation and several installations on other freeways. No compensation. No resource sharing involved.
North Carolina	No	Yes	No	No	<u>Fiber Optics</u> -- Some installations on partial controlled or limited access routes. No compensation received. No resource sharing involved. NC officials do not believe resource sharing is worth pursuing at this time.
South Carolina	Yes	No	No	No	<u>Fiber Optics</u> -- Cable crossing on I-526 bridge over the Cooper River in Charleston in exchange for fibers for use in operation of SCDOT's Fog Detection and Warning System. SCDOT has established a committee to investigate resource sharing.
Tennessee	Soon	No	No	No	<u>Fiber Optics</u> -- Installation on the I-55 Bridge in Memphis has been approved. TDOT will receive the exclusive use of six unlighted fibers.

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Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Maryland	Yes	No	Yes	Soon	<u>Fiber Optics</u> -- On I-83, I-95, I-295, and I-695. Conduit and fibers received as compensation.. <u>Wireless Telecommunications</u> -- Tower installation on I-95 at MD 32 in Howard County, plus 3 new sites in 1998. Additional towers proposed for other F-A freeways. DO & RO have worked with MSHA to develop guidelines for placement of facilities. Annual site fee.
Pennsylvania	No	No	No	No	Resource sharing not permitted by state law. On controlled access ROW. Turnpike is negotiating for joint use of fiber and wireless with private company.
Virginia	Yes	Yes	Yes	No	<u>Fiber Optics</u> -- In Northern VA for State purposes only -- VDOT's Traffic Management System. Resource sharing proposal being considered for 1,530 additional miles of fiber optics. Virginia would receive fiber infrastructure as compensation, as well as electronics and maintenance to light the fiber. <u>Wireless Telecommunications</u> -- Sites have been approved for 64 wireless tower installations on Interstate highways in Northern VA, Richmond and the Suffolk area. Some 50 more towers are under consideration. In No. VA, they have also negotiated call boxes.
West Virginia	No activity as yet				

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STATE BY STATE STATUS REPORT
March 1999 Update (draft)**

**Question: "Does your State accommodate fiber optics / wireless communications on
Interstate or other freeways?"**

Region/State	Fiber Optics		Wireless Telecommunications		Comments
	Interstate	Other Freeways	Interstate	Other Freeways	

Vermont	No	No	No	No	
Delaware	No	No	No	No	
District of Columbia	No	No	No	No	

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Region/State	Fiber Optics		Wireless Telecommunications		Comments
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Northeast RC					
Connecticut	Yes	No	Soon	No	<u>Fiber Optics</u> -- For State purposes only -- Incident Management System (IMS) and Intelligent Transportation System (ITS). No resource sharing involved. <u>Wireless</u> -- A project has been authorized for State purposes only -- Digital Highway Advisory Radio (HAR) at six locations. No resource sharing will be involved.
Maine	Yes	Yes	No	No	<u>Fiber Optics</u> -- No resource sharing.
Massachusetts	Yes	Yes	Yes	Yes	<u>Fiber Optics</u> - State gets lines in return for accommodation <u>Wireless</u> - State gets some wireless facilities in return.
New Hampshire	No	Yes	No	No	<u>Fiber Optics</u> -- A short line was placed from the FAA center in Nashua to a nearby location along Route 3. No resource sharing was involved.
New Jersey	Yes	Yes	Yes	Yes	<u>Fiber Optics</u> -- For State purposes only -- computerized signal systems. No resource sharing involved. <u>Wireless</u> -- 3 installations have been approved on the Interstate with additional proposed installations being considered. Cash compensation is involved. DO has assisted NJDOT in establishing wireless guidelines and procedures for installation, approval of sites, approval of installation.
New York	No	Yes	Yes	No	<u>Fiber Optics</u> -- On NY State Thruway only. NYSTA will receive fibers for their use. <u>Wireless</u> -- Antenna installations on the Interstate. State will receive a rental fee.
Puerto Rico	Did Not Provide Any Information				
Rhode Island	Did Not Provide Any Information				

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